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April 14, 2009

Via ECF

The Hon. Patty Shwartz, U.S.M.J.
United States District Court, D.N.J.
50 Walnut Street
Newark, N.J. 07101

Re: N.V.E., Inc. v. Demelo, et als.
Docket #: 08-cv-736 (FSH)(PS)

Dear Judge Shwartz:

We are in receipt of the Court's Text Order, scheduling the next settlement conference for April 21, 2009, at 12:00 p.m. The Order additionally sets forth that trial counsel and clients with full settlement authority are required to attend.

At the last settlement conference, which took place on April 8, 2009, we apprised the Court that Plaintiff and Defendant, Arun Datwani had made solid progress towards settlement, but that we were at a standstill due to the pending criminal litigation. It was my understanding that the upcoming settlement conference was for the benefit of Plaintiff and the Demelo Defendants only and that participation and attendance by myself and Mr. Datwani would not be required. Kindly advise as to whether the Court is requiring our presence.

Thank you for your kind attention regarding this matter. Should the Court have any questions or require any additional information, please do not hesitate to contact the undersigned.

Respectfully submitted,

/s/ Monica Y. Cho
MONICA Y. CHO

cc: All counsel of record, via ECF notification
Arun Datwani

It is so ordered on this 14th day of April 2009 that Mr. Datwani & his counsel are excused from attending the April 21, 2009 conference

[Signature]
Hon. Patty Shwartz